

HEWLETT-PACKARD COMPANY
INTELLECTUAL PROPERTY ADMINISTRATION
P.O. Box 272400
FORT COLLINS, COLORADO 80527-2400

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PATENT APPLICATION
ATTORNEY DOCKET NO. 10001227-1

MAY 13 2005 9:07

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Robert G. Gann
Confirmation No.: 1161
Application No.: 09/626,625
Examiner: Safalpour, Houshang
Filing Date: July 27, 2000
Group Art Unit: 2622
Title: Method and System for Calibrating a Look-Down Linear Array Scanner Utilizing a Folded Optical Path

Mail Stop: 16
Director of the US Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND
IMPROPER CHARGE OF DEPOSIT ACCOUNT

Sir:

I. REFUND REQUEST

This is a request for a refund in the amount of \$320.00, with respect to the charge to Deposit Account No. 08-2025, shown on the statement dated 1-31-2005 for the above identified patent application.

(X) A copy of the monthly statement, in which the error referred to occurs, accompanies this request.

II. FEES CHARGED FOR WHICH REFUND IS REQUESTED

Fee Code 1252 - Extension for response within second month.

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

9/8/2004 - HP filed a Response to Final Office Action, within two month deadline.
11/4/2004 - Advisory Action mailed from the USPTO, Examiner indicated incorrect deadline date for response. According to MPEP 706.07(f), reply period 'b' should have been indicated on the Advisory Action.
12/1/2004 - Supplemental Advisory Action mailed from the USPTO corrected deadline for response.
12/6/2004 - HP filed a Notice of Appeal in Response to the Advisory Action.
12/8/2004 - USPTO correctly charged HP's Deposit Account for Fee 1401: Notice of Appeal and Fee 1251: Extension for response within first month.
1/14/2005 - USPTO incorrectly charged additional Extension Fee 1252: Extension for response within second month.

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A two month extension fee is not appropriate in this case. Since the deadline for filing a response to the Advisory Action, with a one month extension of time, 12/04/2004, fell on a Saturday, filing the response on the following Monday, 12/06/2004, is acceptable and considered as filed during the one month extension period. Additionally, the two month extension fee charged on 1/14/2005 is in addition to the correctly charged one month extension fee on 12/8/2004.

IV. **MANNER OF REFUND**

Please make refund of \$320.00 crediting Account No. 08-2025.

Certificate of Mailing by Facsimile

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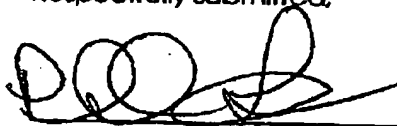
5/11/05

Carrie McKerley

By:

Typed Name: Carrie McKerley

Respectfully submitted,



Phillip S. Lyren
Attorney/Agent for Applicant(s)
Reg. No. 40,709
Telephone No.: (281) 514-8236

Date: May 2, 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

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MONTHLY STATEMENT
OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and
return top portion with your check. Make check
payable to Director of Patents & Trademarks.

HEWLETT-PACKARD COMPANY
ATTN: CATHIE GROW/SHARON LEVERENZ
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FT. COLLINS CO 80527-2400

FINA

Account No.	082025
Date	1-31-05
Page	22

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DATE POSTED DAY YR.	CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
13 05	169	11032346	200308239-2	1111	500.00	611044.40
13 05	170	11032346	200308239-2	1311	200.00	610844.40
13 05	176	11026174	200315050-1	8021	40.00	610804.40
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14 05	48	11032753	200314323-2	1011	300.00	601538.40

AN AMOUNT SUFFICIENT TO

[OPENING BALANCE] TOTAL CHARGES TOTAL CREDITS CLOSING BALANCE

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Application No.: 09/626,625

Examiner: H. Safaipour

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Title: METHOD AND SYSTEM FOR CALIBRATING A LOOK-DOWN LINEAR ARRAY SCANNER
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NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated 11/04/2004, rejecting the following claims 1, 3, 4, 6-8, 10-11, 13-22, 24, 26, 27. The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$340.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

(X) (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

(X) one month	\$110.00	12/08/2004	SSITHIB1	00000047	082025	09626625
() two months	\$430.00	01 FC:1401		340.00	DA	
() three months	\$980.00	02 FC:1251		110.00	DA	
() four months	\$1530.00					

() The extension fee has already been filed in this application.

() (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$450.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

(X) I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Label No. EV 482740280US addressed to: Commissioner for Patents, Alexandria, VA 22313-1450
Date of Deposit: December 6, 2004
OR

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Number of pages:

Typed Name: Phyllis Ewing

Signature: Phyllis Ewing

Rev 10/04 (PatAppel)

Respectfully submitted,

Robert G. Gann

By Jody C. Bishop

Jody C. Bishop

Attorney/Agent for Applicant(s)

Reg. No. 44,034

Date: Dec. 6, 2004

Telephone No.: (214) 855-8007

01/14/2005 KDAV/S 00000007 082025 09626625

01 FC:1202 320.00 DA

Statement Date: 06/21/2005 SDIRET01
1/2005 KDAV/S 00000007 082025 09626625
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